

Message Text

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PAGE 01 LAGOS 07030 071402Z
ACTION AF-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
AID-05 OMB-01 HA-05 TRSE-00 /075 W
-----096044 080558Z /15

R 071245Z JUN 78
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC 8807
INFO AMCONSUL IBADAN
AMCONSUL KADUNA

C O N F I D E N T I A L LAGOS 7030

E.O. 11652: GDS
TAGS: PGOV, PDEV, NI
SUBJECT: THE CA: UDOMA VS. THE NORTHERNERS

REF: (A) LAGOS 6975, (B) LAGOS 4905, (C) LAGOS A-49

BEGIN SUMMARY. IN THE AFTERMATH OF HIS ABRUPT ADJOURNMENT
OF THE CA, CHAIRMAN UDOMA HAS DEFENDED HIS DECISION TO
SEND THE MEMBERS HOME WHILE NORTHERN MCAS HAVE RESTATED
THEIR POSITION THAT SHARIA REMAINS AN OPEN QUESTION.
END SUMMARY.

1. REACTING TO CRITICISM OF HIS UNEXPECTED ADJOURNMENT
OF THE CONSTITUENT ASSEMBLY (CA), CHAIRMAN UDO UDOMA,
ACCORDING TO PRESS REPORTS, HAS SAID THAT THE HOUSE HAD
FINISHED DELIBERATIONS ON ALL SECTIONS OF THE DRAFT
CONSTITUTION EXCEPT SECTION 3 OF CHAPTER 1 WHICH CONCERNS
THE NUMBER OF STATES IN THE FEDERATION. HOWEVER, UDOMA
ADDED, THE ASSEMBLY WAS EMPOWERED ONLY TO DRAFT A
CONSTITUTION FOR THE GOVERNANCE OF A COUNTRY OF 19
STATES. IT HAD NO AUTHORITY TO INCREASE THAT NUMBER OF
STATES; THEREFORE, THERE WAS NO POINT IN CONTINUING TO
DISCUSS THE MATTER.

CONFIDENTIAL

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PAGE 02 LAGOS 07030 071402Z

2. IN REPLY TO UDOMA'S ACTION ADJOURNING THE ASSEMBLY,
92 MCAS FROM THE NORTH HAVE SENT A LETTER TO THE
CHAIRMAN WHICH INSISTS THAT THE SHARIA ISSUE REMAINS
UNSETTLED. EXCERPTS FROM THE LETTER AS REPORTED IN
THE PRESS STATE:

"AS YOU WILL RECALL, THE REPRESENTATIVES OF MORE THAN
50 PERCENT OF ALL REGISTERED VOTERS AND AT LEAST 50

PERCENT OF THE NATIONAL POPULATION WITHDREW FROM ALL PROCEEDINGS OF THE ASSEMBLY AND FROM ITS DELIBERATIONS ON SECTION 180 SUB-SECTION 1, (C) IN VYROTEST OVER THE ISSUE OF THE CONSTITUTIONAL FORM OF THE APPELLATE INSTITUTION PROVIDED FOR SHARIA APPEAL CASES FROM THE STATES SHARIA COURTS OF APPEAL.

"IN OUR ADDRESS TO THE ASSEMBLY ON APRIL 18, THIS YEAR, WE NOTED THAT DESPITE THE OBVIOUS UNDEMOCRATIC COMPOSITION OF THE ASSEMBLY AND OUR WITHDRAWAL FROM ITS PROCEEDINGS, THE OTHER MEMBERS PROCEEDED TO TAKE DECISIONS ON MATTERS OF VITAL INTEREST TO THOSE COMMUNITIES WE REPRESENT IN THE ABSENCE OF THEIR REPRESENTATIVES.

"WE CAME BACK TO THE ASSEMBLY IN COMPLIANCE WITH THE APPEAL OF THE HEAD OF STATE AND IN THE INTEREST OF PEACE AND GOOD ORDER IN OUR COUNTRY.

"SINCE OUR RETURN TO THE ASSEMBLY, WE HAVE BEEN DISCUSSING WITH OUR COLLEAGUES ON THE UNDERSTANDING THAT THE REQUEST MADE IN OUR ADDRESS OF APRIL 18, THIS YEAR, WILL BE FORMALLY DISCUSSED WITH THE VIEW TO REACHING A SETTLEMENT.

"NBP ASSEMBLY HAS NOW BEEN ADJOURNED AGAINST OVERWHELMING OPPOSITION WITHOUT DEALING WITH OTHER....MATTERS.

"WE WISH TO EMPHASIZE THAT THE MATTER OVER WHICH
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CONFIDENTIAL

PAGE 03 LAGOS 07030 071402Z

WE WALKED OUT REMAINED A VITAL CONCERN TO THE PEOPLE WE REPRESENT.

"WE STILL DISSOCIATE OURSELVES FROM CHAPTER SEVEN OF THE DRAFT CONSTITUTION BILL AND THE PROVISIONS OF THE JUDICIARY AS AMENDED IN OUR ABSENCE.

"WE FURTHER WISH TO EMPHASIZE THAT UNTIL THIS AND OTHER MATTERS ARE PROPERLY DISCUSSED, DELIBERATIONS ON THE DRAFT CONSTITUTION BILL CANNOT BE REGARDED AS COMPLETED.

"WE BELIEVE THAT WITH GOOD WILL, THE ASSMEBLY WILL BE ABLE TO ACCEPT A PROPERLY CONSTITUTED SHARIA DIVISION IN THE FEDERAL COURT OF APPEAL.

"IN THE EVENT OF FAILURE TO GRANT A RECONSIDERATION OF THIS ISSUE, IT IS OUR BELIEF THAT THE NORMAL CONVENTION APPLIED IN SUCH SITUATION OUGHT TO BE FOLLOWED AND THE WHOLE OF THE DRAFT CONSTITUTION PROVISION ON THE NEW CONSTITUTION."

3. COMMENT: IT IS DIFFICULT TO SEE WHERE WE GO FROM HERE. UDOMA DOES NOT SEEM TO BE INCLINED TO RECONVENE THE ASSEMBLY AND MAY SIMPLY TAKE INTO ACCOUNT WRITTEN COMMENTS ON THE TEXT FROM MCAS BEFORE PRESENTTING THE

FINAL VERSION TO THE FMG. WE CAN IMAGINE THAT ANY
PREDISPOSITION, HOWEVER SLIGHT, BY UDOMA TO RECALL THE
CA WOULD BE DRASTICALLY DIMINISHED BY THE TOUGH
LANGUAGE OF THE NORTHERN STATEMENT WHICH RESTATES THE
HARDLINE NORTHERN STANCE EXPOUNDED ON APRIL 18 (REF B).

4. ON THE OTHER HAND, UDOMA MAY NOT FEEL UNDER MUCH
PRESSURE TO RESPOND TO THE NORTHERNERS. WE WOULD
ASSUME THAT THE 92 MCAS WHO SIGNED THIS STATEMENT ARE
THE SAME GROUP WHICH ISSUED THE APRIL 18 BLAST. (REF C).
IF SO, IT IS A STRIKING CONFIRMATION OF ALHAJI
ABDULLAHI ADAMU'S REMARK TO US ON JUNE 5 THAT THERE
HAS BEEN NO MOVEMENT IN THE ASSEMBLY ON THE PROBLEM
SINCE THE LAST CONGRONTATION (PARA 4, REF A). THERFORE,
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PAGE 04 LAGOS 07030 071402Z

UDOMA MAY CONSIDER THE LATEST STATEMENT TO BE ANOTHER
PUBLIC RELATIONS EXERCISE. END COMMENT.
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